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12 *Attorneys for Plaintiff*
13 REACHLOCAL, INC.

14 UNITED STATES DISTRICT COURT

15 CENTRAL DISTRICT OF CALIFORNIA – CENTRAL DIVISION

16 REACHLOCAL, INC., a Delaware
17 corporation,

18 Plaintiff,

19 v.

20 PPC CLAIM LIMITED, a British limited
21 company; KIERAN PAUL CASSIDY, an
22 individual, DOES 1-50,

23 Defendants.

24 CASE NO. 2:16-cv-01007-R-AJW

25 **NOTICE OF APPEAL**

26 Judge: Hon. Manuel L. Real
27 Amd. Cmplt Filed: March 11, 2016
28

1 Notice is hereby given that Plaintiff ReachLocal, Inc. (“ReachLocal”)
 2 hereby appeals the above-captioned action to the United States Court of Appeals
 3 for the Ninth Circuit from the Order entered on October 12, 2016 (ECF No. 143),
 4 attached hereto as **Exhibit 1** (with corresponding hearing transcript), which
 5 involuntarily dismissed the above-captioned action for “want of prosecution.” *See*
 6 *Montes v. United States*, 37 F.3d 1347, 1350 (9th Cir. 1994) (citing *McGucklin v.*
 7 *Smith*, 974 F.2d 1050, 1053-1054 (9th Cir. 1992) [“[A] dismissal without prejudice
 8 may be intended to end the litigation in the court involved but not to act as an
 9 adjudication on the merits or to bar the filing of a similar action in another court.
 10 Such a dismissal would be a “final” disposition and hence appealable.”]); *Ash v.*
 11 *Cvetkov*, 739 F.2d 493, 496 (9th Cir. 1984) [holding a *sua sponte* dismissal without
 12 prejudice for lack of prosecution an appealable order]; *Cooper v. Ramos*, 704 F.3d
 13 772, 776-777 (9th Cir. 2012) [holding that a dismissal intended to dispose of the
 14 action may be considered final and appealable].

15 Pursuant to Ninth Circuit Rule 3-2, ReachLocal’s Representation Statement
 16 is attached hereto as **Exhibit 2**.

17
 18
 19 Dated: November 2, 2016

BROWN NERI SMITH & KHAN, LLP

20
 21 By: /s/ Amjad M. Khan
 22 Amjad M. Khan

23 *Attorneys for Plaintiff, ReachLocal, Inc.*
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EXHIBIT 1

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS - 6

CIVIL MINUTES -- GENERAL

Case No. CV-16-1007-R

Date: October 12, 2016

Title: REACHLOCAL, INC. - V.- PPC CLAIMS LIMITED, et al.

=====

PRESENT: HONORABLE MANUEL L. REAL, JUDGE

Connie Lee
Courtroom Deputy

Sheri Kleeger
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

Amjad Mahmood Khan
Jill Ray Glennon

Erik S Syverson

PROCEEDINGS: Status Conference

Case called. Appearances made.

The Court hereby dismisses this action without prejudice.

0:01

1 UNITED STATES OF AMERICA
2 UNITED STATES DISTRICT COURT
3 CENTRAL DISTRICT OF CALIFORNIA
4 WESTERN DIVISION

5 - - -
6 HONORABLE MANUEL L. REAL
7 UNITED STATES DISTRICT JUDGE PRESIDING
8 - - -

9 REACHLOCAL, INC.,)
10) CERTIFIED COPY
11 PLAINTIFF,)
12)
13 VS.) 16-1007 R
14)
15 CLAIMS LIMITED, et al.,)
16)
17 DEFENDANTS.)
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21 REPORTER'S TRANSCRIPT OF PROCEEDINGS
22 WEDNESDAY, OCTOBER 12, 2016
23 A.M. SESSION
24 LOS ANGELES, CALIFORNIA
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APPEARANCES OF COUNSEL:

ON BEHALF OF PLAINTIFF:

BROWN NERI and SMITH LLP
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ON BEHALF OF DEFENDANT:

RAINES FELDMAN LLP
BY: ERIK S. SYVERSON, ESQUIRE
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BEVERLY HILLS, CA 90212

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, OCTOBER 12, 2016

2 A.M. SESSION

3 - - -

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5
6 THE CLERK: Calling item number one, CV
7 16-1007-R: ReachLocal, Inc., versus PPC, Limited, et
8 al.

9 Counsel, please state your appearances.

10 MR. KHAN: Good morning, Your Honor. I'm
11 Amjad Khan on behalf of the plaintiff, and with me is my
12 colleague Jill Glennon.

13 MR. SYVERSON: Good morning, Your Honor,
14 Erik Syverson for the firm of Raines Feldmann for the
15 defendants.

16 THE COURT: All right. A ton of paper is 17
17 green trees, and we don't deal with paper here. And
18 there is nothing there. And as a result of that, I'm
19 going to dismiss this action without prejudice, period.

20 We can't make out anything with all of this
21 paper. And that's the judgement of the Court. I'll
22 dismiss the matter for wan of prosecution for the basis
23 of what we have -- what we have here, which is a lot of
24 nothing.

25 All right we'll be in recess.

1 THE LAW CLERK: All rise.
2 (Proceedings concluded.)
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EXHIBIT 2

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8 Facsimile: (310) 593-9980

9 *Attorneys for Plaintiff*

10 REACHLOCAL, INC.

11 UNITED STATES DISTRICT COURT

12 CENTRAL DISTRICT OF CALIFORNIA – CENTRAL DIVISION

13
14 REACHLOCAL, INC., a Delaware
15 corporation,

16 Plaintiff,

17 v.

18 PPC CLAIM LIMITED, a British limited
19 company; KIERAN PAUL CASSIDY,
20 an individual, DOES 1-50,

21 Defendants.
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CASE NO. 2:16-cv-01007-R-AJW

**REPRESENTATION
STATEMENT**

Judge: Hon. Manuel L. Real
Amd. Cmplt Filed: March 11, 2016

The undersigned represents Plaintiff ReachLocal, Inc. (“ReachLocal”) and no other party. Pursuant to Ninth Circuit Rule 3-2(b), ReachLocal submits this Representation Statement. The following list identifies all parties to the action, and it identifies their respective counsel by name, firm, address, telephone number, fax number, and email address.

Party	Counsel
Plaintiff ReachLocal, Inc.	Amjad M. Khan amjad@bnsklaw.com Paul C. Fricke paul@bnsklaw.com Jill R. Glennon jill@bnsklaw.com Rowennakete P. Barnes kete@bnsklaw.com BROWN NERI SMITH & KHAN, LLP 11766 Wilshire Blvd., Ste. 1670 Los Angeles, CA 90025 Telephone: (310) 593-9890 Facsimile: (310) 593-9980
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Defendant Kieran Paul Cassidy	Erik S. Syverson esyverson@raineslaw.com Scott M. Lesowitz slesowitz@raineslaw.com RAINES FELDMAN, LLP 9720 Wilshire Blvd., 5th Floor Beverly Hills, CA 90212 Telephone: (310) 440-4100 Facsimile: (310) 691-1367

REPRESENTATION STATEMENT

1 Dated: November 2, 2016

BROWN NERI SMITH & KHAN, LLP

2
3 By: /s/ Amjad M. Khan

4 Amjad M. Khan

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6 *Attorneys for Plaintiff, ReachLocal, Inc.*

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REPRESENTATION STATEMENT

CERTIFICATE OF SERVICE

I, Ethan J. Brown, hereby declare under penalty of perjury as follows:

I am a partner at the law firm of Brown Neri Smith & Khan, LLP, with offices at 11766 Wilshire Boulevard, Suite 1670, Los Angeles, California 90025. On November 2, 2016, I caused the foregoing **NOTICE OF APPEAL** to be electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to counsel of record.

Executed on November 2, 2016.

/s/ Ethan J. Brown